



[10191/1690]

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Volker BECKER et al.

For: DEVICE AND METHOD FOR
ETCHING A SUBSTRATE USING
AN INDUCTIVELY COUPLED
PLASMA

Filed: May 8, 2001

Serial No.: 09/762,985

MAIL STOP APPEAL BRIEF - PATENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Art Unit: 1763
I hereby certify that this correspondence is being deposited with the
United States Postal Service with sufficient postage as first class mail
in an envelope addressed to:
Mail Stop ~~1100~~ BRIEF - PATENT
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on

Date: 11/28/2007

~~REPLACEMENT BRIEF TRANSMITTAL~~
IN RESPONSE TO A NOTIFICATION OF NON-COMPLIANCE
AND PETITION TO EXTEND UNDER 37 C.F.R. § 1.136(a)

SIR:

Accompanying this Appeal Brief Transmittal is a Replacement Appeal Brief pursuant to 37 C.F.R. § 41.37 (in triplicate as a courtesy) for filing in the above-identified patent application, in response to the Notification of Non-Compliance mailed on June 28, 2007.

This is also a Petition To Extend Under 37 C.F.R. § 1.136(a) to extend the one-month response date by four (4) months from the one-month date of July 28, 2007 to November 28, 2007. (It is noted that the appropriate appeal brief fee under 37 C.F.R. § 1.17(c) was already paid when the first Appeal Brief was filed on May 25, 2007) and therefore should not be charged again).

The Commissioner is authorized to charge the four-month extension fee of \$1,640 to Deposit Account No. 11-0600 and is also authorized, as necessary and/or appropriate, to charge any additional and appropriate fees, including any further Rule 136(a) extension fees, or credit any overpayment to Deposit Account No. 11-0600. Two duplicate copies of this transmittal are enclosed for these purposes.

Dated: 11/28/2007

Respectfully submitted,

By:

Gerard A. Messina

(Reg. No. 35,952)

KENYON & KENYON LLP

One Broadway

New York, New York 10004

(212) 425-7200

33,865

Avon C

DE01744

CUSTOME NO. 26646